



W.P.(MD).No.8696 of 2023

THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.04.2023

CORAM

THE HONOURABLE MRS.JUSTICE S.SRIMATHY

W.P.(MD).No.8696 of 2023

S.Manikandan

... Petitioner

Vs.

1.The District Collector,
Collectorate,
Kanyakumari,
Kanyakumari District.

2.The Personal Assistant to the District Collector,
(Development Section),
Collectorate,
Kanyakumari,
Kanyakumari District.

3.The Commissioner,
Panchayat Union,
Thiruvattar Panchayat,
Thiruvattar,
Kanyakumari District.

... Respondents

Prayer : Writ Petition filed under Article 226 of the Constitution of India, praying this Court to issue a Writ of Mandamus, directing the respondent no.1 to direct the respondents 2 and 3 to select and appoint the petitioner in the post of Office Assistant under Schedule Caste (Arunthathiyar) Category under Thiruvattar Panchayat Kanyakumari District as per the Notification in



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Na.Ka.No.A1/0079/2021 dated 08.06.2022 under the Schedule Caste (Arunthathiyar) Men category as per the Section 26(5) of the Tamil Nadu Government Servant (Conditions of Service) Act, 2016 within the time period stipulated by this Court.

For Petitioner : Mr.G.Karthik,
For M/s.Lajapathi Roy and Associates.

For R-1 and R-2 : Mr.G.Suriyananth,
Additional Government Pleader.

For R-3 : Mr.M.Siddharth,
Additional Government Pleader.

ORDER

This Writ Petition is filed for Mandamus, directing the respondents to consider the petitioner's claim and appoint him as Office Assistant under Schedule Caste (Arunthathiyar) Category as per the Notification dated 08.06.2022 under the Schedule Caste (Arunthathiyar) Men category as per the Section 26(5) of the Tamil Nadu Government Servant (Conditions of Service) Act, 2016.

2. The contention of the petitioner is that the post is allotted to Schedule Caste (Arunthathiyar) Category and the priority is given to the destitute widow in SC category. When the destitute widow of the said category is not available,



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then the chance would go to other candidates in the said category. Since the petitioner comes under Schedule Caste (Arunthathiyar) Men category, he claims that he is eligible, since the candidates are not available in other categories.

3. Therefore, this Court without expressing any opinion directs the respondents to consider the petitioner's case and pass order. The respondents shall pass speaking order indicating whether the petitioner is entitled or not. The said exercise shall be completed within a period of eight (8) weeks from the date of receipt of a copy of this order.

4. With the above direction, this Writ Petition is disposed of. There shall be no order as to costs.

17.04.2023

NCC : Yes/No
Index : Yes / No
Internet : Yes/ No
Nsr



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To

WEB COPY

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Thiruvattar Panchayat,
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S.SRIMATHY, J.

Nsr

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